

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

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COMMONWEALTH OF VIRGINIA

At the relation of the

STATE CORPORATION COMMISSION

CASE NO. PUE-2007-00107

Ex Parte: In the matter of establishing rules and regulations to implement the sale of electricity from renewable sources through a renewable energy portfolio standard program pursuant to § 56-585.2 of the Code Virginia

COMMENTS OF THE
VIRGINIA COMMITTEE FOR FAIR UTILITY RATES
AND THE
OLD DOMINION COMMITTEE FOR FAIR UTILITY RATES

The Virginia Committee for Fair Utility Rates ("Virginia Committee") and the Old Dominion Committee for Fair Utility Rates ("Old Dominion Committee") (collectively, "the Committees"), by counsel, jointly file these comments in response to the Order Establishing Proceeding issued on December 3, 2007 in the above matter ("Order").

I. COMMENTS IN RESPONSE TO COMMISSION'S QUESTIONS

The Committees offer the following comments in response to the questions posed in the Order:

- (1) Should there be a standard package of data and information that utilities must file in order to demonstrate that they have achieved an RPS goal as those goals change through time as set forth in §56-585.2.D? If so, what data and information should be provided to the Commission? In the alternative, should such applications be instead handled on a case-by-case basis?**

Utilities should be required to file a standard package of data and information; however, it should be clear that the scope of such package does not limit the scope of the information that the Commission may require or consider in order to permit it to decide individual cases. The

Committees do not currently have suggestions on data and information that must be filed as part of such package, but the Committees may submit reply comments on this issue in response to initial comments filed by others in this proceeding.

- (2) What special procedural rules, if any, should apply to proceedings regarding applications submitted pursuant to § 56-585.2 of the Code for award of incentives to utilities for RPS Goals attained?**

The Committees do not currently have suggestions on whether special procedural rules should apply, but the Committees may submit reply comments on this issue in response to initial comments filed by others in this proceeding.

- (3) What special procedural rules should apply to proceedings opened to establish and provide for recovery of all incremental costs incurred for the purpose of such participation in a RPS program?**

The Committees do not currently have suggestions on whether special procedural rules should apply, but the Committees may submit reply comments on this issue in response to initial comments filed by others in this proceeding.

- (4) Should a tracking system be required to ensure that renewable resource certificates are appropriately and accurately credited to renewable resource facilities? If so, how should such a tracking system be designed and what entity should maintain the tracking system?**

A tracking system would be appropriate. The Committees do not currently have suggestions on the design and implementation of such a system, but the Committees may submit reply comments on this issue in response to initial comments filed by others in this proceeding.

- (5) The Commission seeks comments as to whether there are programs or elements of programs adopted by other states that may be appropriate and comply with the provisions set forth in § 56-585.2.**

The Committees do not currently have suggestions on what programs or elements of programs from other states should be adopted, but the Committees may have reply comments on this issue in response to initial comments filed by others in this proceeding.

(6) What standards should the Commission apply in determining the reasonableness and prudence of resource applications as described in § 56-585.2?

The Committees do not currently have suggestions on standards that the Commission should apply in determining the reasonableness and prudence of such resource applications, but the Committees may submit reply comments on this issue in response to initial comments filed by others in this proceeding.

(7) How shall the Commission determine, pursuant to § 56-585.2.E, which customer classes and subclasses should be construed to fall within the "large industrial rate classes of participating utilities" that are not to be allocated incremental costs of the RPS program, given that such customer may be served at a transmission or primary voltage?

At a minimum, the Committees believe that all customers on (i) Virginia Power's GS-4 tariff, and (ii) Appalachian Power Company's LPS-TOD tariff (primary, subtransmission and transmission subclasses) should be construed to fall within the large industrial rate classes if those utilities elect to participate.

CONCLUSION

The Committees appreciate the opportunity to submit these comments. The Order contemplates, in its footnote 2, the submission of reply comments. The Committees welcome the opportunity to submit reply comments pursuant to the Order in accordance with any further orders of the Commission in this matter.

Respectfully submitted,

VIRGINIA COMMITTEE
FOR FAIR UTILITY RATES

OLD DOMINION COMMITTEE
FOR FAIR UTILITY RATES

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CERTIFICATE OF SERVICE

I certify that on February 4th, 2008, as directed in the Order Establishing Proceeding, a copy of the foregoing comments was submitted electronically to the Division of Economics and Finance of the State Corporation Commission at econfin@scc.virginia.gov.


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